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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,395	10/21/2003	Hisashi Saiga	55051 DIV (71117)	2475

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EDWARDS & ANGELL, LLP  
P.O. BOX 55874  
BOSTON, MA 02205

EXAMINER
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SHIH, HAOSHIAN

ART UNIT	PAPER NUMBER
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2173

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/19/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/691,395

Applicant(s)

SAIGA ET AL.

Examiner

Haoshian Shih

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10/23/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15, 38-60 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 38-60 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date See Continuation Sheet.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :12/15/2006, 04/24/2006, 05/04/2004, 03/31/2004, 01/02/2004, 10/23/2003.

### **DETAILED ACTION**

1. Claims 1-15 and 38-60 are pending in this application and have been examined.

Claims 16-37 are canceled, without prejudice by the applicant.

#### ***Claim Objections***

2. Claim 10 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim 3. See MPEP § 608.01(n). Accordingly, the claim 10 not been further treated on the merits.

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Regarding claim 11, the phrase "complexity" in line 4 renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d). The specification discloses word complexity by the number of the strokes in a displayed kanji character. However, word complexity is defined differently in the English language, for instance complex words are not defined based upon their necessary strokes, but based upon their difficulty to pronounce or comprehend.

5. Regarding claim 13, the phrase "complexity" in line 5 renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the

claimed invention. See MPEP § 2173.05(d). The specification discloses word complexity by the number of the strokes in a displayed kanji character. However, word complexity is defined differently in the English language, for instance complex words are not defined based upon their necessary strokes, but based upon their difficulty to pronounce or comprehend.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

7. **Claims 1-10,14, and 38-51 are rejected under 35 U.S.C. 102(a) as being anticipated by WYNN 2 (“WYNN”, [www.freedomscientific.com/LSG/downloads/InDepthWyNN2.txt](http://www.freedomscientific.com/LSG/downloads/InDepthWyNN2.txt)).**

8. As to claim 1, WYNN discloses a data displaying device comprising a storage means with data stored therein (pg.3, “The minimum system requirements...”), a display means (pg.3, “The minimum system requirements...”), and a display control means for controlling the display of the data stored in the storage means on the data display means (pg.3, “The minimum system requirements...”), characterized in that: a remark display control means is also provided for visually displaying a visual confirmation guide

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for distinguishing a specified area of data being displayed on the display means (pg.6, "The cursor is a...", lines 1-8; "spotlight cursor").

9. As to claim 14, WYNN discloses a data displaying method comprising a data storing step for storing data (pg.3, "The minimum system requirements..."), a displaying step for displaying the data (pg.3, "The minimum system requirements...") and, a display control step for controlling display of data stored in a data storage means on a data display means (pg.3, "The minimum system requirements..."), wherein a remark display control step is also provided for displaying a visual confirmation guide for distinguishing a specified area of data being displayed by the displaying step visually pg.6, "The cursor is a...", lines 1-8; "spotlight cursor").

10. As to claim 2, WYNN discloses the remark display control means displays the visual confirmation guide superimposed on data being displayed on the display means (pg.6, paragraph "The cursor is a visual...", lines 1-8; "spotlight cursor").

11. As to claim 3, WYNN discloses remark display control means visually distinguishes the data being displayed with the visual confirmation guide from the data being displayed by said specified area of the display means by deforming the data being displayed by said specified area of the display means or adding information thereto and thereafter displaying the distinguished data with the visual confirmation guide (pg.6, paragraph "\* The cursor is a visual on-screen...").

12. As to claims 4, and 38 WYNN discloses the remark display control means moves (pg.6, paragraph "The cursor is a visual...", lines 1-2, 7-8) and displays the visual confirmation guide (pg.6, paragraph "The cursor is a visual...", lines 3-5; "spotlight cursor").

13. As to claims 5, and 39, WYNN discloses the remark display control means deforms and displays the visual confirmation guide (pg.6, paragraph "The cursor is a visual...", lines 1-8; "spotlight cursor").

14. As to claims 6, 40, 41, and 42, WYNN discloses the remark display control means simultaneously deforms, moves and displays the visual confirmation guide (pg.41, paragraph "Options: Your choices are read by words...", paragraph "Options: Within the spotlight...").

15. As to claims 7, 43, 44, and 45, WYNN discloses the remark display control means, prior to moving and displaying the visual confirmation guide, refers to a preset moving speed, and thereafter, moves displays the visual confirmation guide by using the preset moving speed (pg.42, "Spotlight Advance:").

16. As to claims 8, 46, 47 and 48, WYNN discloses the remark display control means, prior to moving and displaying the visual confirmation guide, refers to a preset

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moving distance and thereafter, deforms and displays the visual confirmation guide by using the preset moving distance (pg.41, "Read By:").

17. As to claims 9, 49, 50, and 51, the remark display control means is adapted (i) to initiate movement of the visual confirmation guide in a specified direction and/or deformation of the data displayed thereby from a stopped and/or not deformed condition thereof (pg.28, paragraph "Start Reading:...", pg.40, "Enable Spotlight"), and (ii) to stop movement of the visual confirmation guide in a specified direction and/or deformation of the data displayed thereby (pg.28, paragraph "Pause Reading:...", pg.40, "Enable Spotlight").

18. As to claim 10, WYNN discloses the remark display control means is adapted to selectively erase the visual confirmation guide being displayed at any specified time. (pg.30, paragraph "Start Highlight:", "eraser")

***Claim Rejections - 35 USC § 103***

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. **Claims 11, 12, 13, 15, and 52-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over WYNN, in view of Walker (US Patent 6,279,017 B1).**



21. As to claim 15, WYNN discloses a data storage medium containing a record of a data display program readable by a computer to realize: a function for displaying a visual confirmation guide using a difference in visibility (pg.6, "The cursor is a...", lines 1-8; "spotlight cursor"), a function for distinguishing displayed data by the displayed visual confirmation guide visually and a function for moving or deforming the visual confirmation guide (pg.6, "The cursor is a...", lines 1-8; "spotlight cursor")..

WYNN does not disclose the movement or the deformation preset according to the complexity or frequency of displayed data displayed thereby so as to make the data displayed thereby easier to read.

In the same field of endeavor, Walker discloses the movement or the deformation preset according to the complexity (col.10, lines 50-53) or frequency (col.39, lines 51-53) of displayed data displayed thereby so as to make the data displayed thereby easier to read.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the teachings of WYNN and the teachings of Walker for the benefit of modifying text presentation to enhance the reader's ability to read text (Walker, col.2 lines 48-50).

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22. As to claims 11, 52, 53, and 54, WYNN discloses the remark display control means moves or deforms the visual confirmation guide (pg.42, "Spotlight Advance:"). WYNN does not disclose the movement or the deformation is based on complexity of data being displayed by the visual confirmation guide.

In the same field of endeavor, Walker discloses the visual confirmation guide moves or deforms based on complexity of data being displayed by the visual confirmation guide (col.10 lines 50-53).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the teachings of WYNN and the teachings of Walker for the benefit of modifying text presentation to enhance the reader's ability to read text (Walker, col.2 lines 48-50).

23. As to claims 12, 55, 56, and 57, WYNN discloses the remark display control means moves or deforms the visual confirmation guide (pg.42, "Spotlight Advance:"). WYNN does not disclose the movement or the deformation is based on frequency of data being displayed by the visual confirmation guide.

In the same field of endeavor, Walker discloses the visual confirmation guide moves or deforms based on the frequency of data being displayed by the visual confirmation guide (col.39, lines 51-53).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the teachings of WYNN and the teachings of Walker for the benefit of modifying text presentation to enhance the reader's ability to read text (Walker, col.2 lines 48-50)

24. As to claims 13, 58, 59, and 60 WYNN discloses the remark display control means moves or deforms the visual confirmation guide (pg.42, "Spotlight Advance:"). WYNN does not disclose the movement or the deformation is based on a combination of the complexity with the frequency of data being displayed by the visual confirmation guide.

In the same field of endeavor, Walker discloses the visual confirmation guide moves or deforms based on a combination of the complexity (col.10 lines 50-53) with the frequency (col.39, lines 51-53) of data being displayed by the visual confirmation guide.

### **Conclusion**

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haoshian Shih whose telephone number is (571) 270-1257. The examiner can normally be reached on m-f 0730-1700.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nabil El-Hady can be reached on (571)272-3963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HSS



ANDREW Y. KOENIG  
PRIMARY PATENT EXAMINER